United Nations A/C.1/58/PV.16

General Assembly
Fifty-eighth session

Official Records

First Committee
16th meeting
Monday, 27 October 2003, 10 a.m.
New York

Chairman: Mr. Sareva ..... (Finland)

The meeting was called to order at 10.10 a.m.

Agenda items 62 to 80

Action on all draft resolutions and decisions submitted under disarmament and international security agenda items

The Chairman: In accordance with the programme of work and timetable, this morning the First Committee will proceed to the third phase of its work, namely, action on all draft resolutions and draft decisions submitted under agenda items 62 to 80.

As I informed the Committee at the last meeting, this morning the Committee will proceed to take action on draft resolutions that appeared in informal working paper No. 1, namely, cluster 1, "Nuclear weapons", starting with the draft decision contained in document A/C.1/58/L.2, entitled "United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament".

After completing action on draft resolutions contained in cluster 1, the Committee will proceed, if time permits, to take action on draft resolutions contained in cluster 2, namely, "Other weapons of mass destruction", starting with the draft resolution contained in document A/C.1/58/L.37, entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

Before the Committee proceeds to take action on those draft resolutions contained in cluster 1, namely, "Nuclear weapons", and as appeared in informal working paper No. 1, I would like once again to review the procedure that was outlined at the last meeting for this phase of the work of the Committee.

It is my intention, with the Committee's cooperation and on the basis of past practice and precedent, to move as efficiently as possible from one cluster to another upon the completion of action on each given cluster. Nonetheless, while following this procedure, the Committee will maintain a desirable degree of flexibility.

During the decision-taking stage on each individual cluster, delegations will first have an opportunity to introduce revised draft resolutions with regard to any particular cluster. Then, delegations wishing to make general statements or comments, other than in explanation of vote on the draft resolutions contained in a specific cluster, will be permitted to do so. Thereafter, delegations will be afforded an opportunity to explain their positions or votes in a consolidated statement on all the draft resolutions and decisions contained in a particular cluster, before the Committee proceeds to take action on them one after another, without any interruption in between. In other words, delegations will have a chance to make explanations regarding their positions or votes in a consolidated fashion on all of the draft resolutions contained in the specific cluster on which action will be taken. I intend, with the Committee's full

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cooperation, to strictly follow that procedure in order to ensure the full and efficient utilization of the time and conference resources allocated to the Committee. Therefore, I appeal to all delegations to kindly observe the procedure and to avoid any interruptions once voting on a cluster begins.

Once the Committee completes action on all draft resolutions and decisions contained in a particular cluster, those delegations wishing to explain their positions or votes after the vote will be allowed to do so. However, like the consolidated explanations of vote before the voting, delegations are requested to provide consolidated explanations of their positions after the vote on the respective draft resolutions of the given cluster on which action was completed.

I would also like to reiterate that, in accordance with the rules of procedure, sponsors of draft resolutions are not permitted to make any statements in explanation of their votes, either before or after action is taken. They will, however, be permitted to make general statements at the beginning of the meeting on a particular cluster.

In order to avoid any misunderstanding, I would like to remind those delegations wishing to request a recorded vote on any particular draft resolution to kindly inform the Secretariat of their intention as early as possible before the Committee begins to take action on any individual cluster.

With regard to any deferment of action on any draft resolution, delegations should also inform the Secretariat in advance. Nonetheless, every effort should be made to refrain from resorting to a deferment of action. Please inform us in advance if you intend to do so.

I hope that the procedures are clear to all delegations. I would also like to note that sheets of paper detailing those ground rules for the taking of action on draft resolutions have been circulated this morning to all delegations.

Before the Committee proceeds to take a decision on the draft resolutions contained in cluster 1, namely, "Nuclear weapons", and as appeared in informal working paper No. 1, I shall give the floor to those delegations wishing to make general statements, other than explanations of vote, or to introduce revised draft resolutions.

Mr. Trezza (Italy): In making this general statement, I am pleased to speak on behalf of the European Union on draft resolution A/C.1/58/L.52, entitled "Comprehensive Nuclear-Test-Ban Treaty". The countries of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Malta, Slovakia and Slovenia align themselves with this statement. The associated countries of Bulgaria, Turkey and Iceland also align themselves with this statement.

During the general debate on the first day of this year's session of the First Committee, I had the opportunity, on behalf of the European Union, to express the views of the Union regarding the Comprehensive Nuclear-Test-Ban Treaty (CTBT). In doing so I underlined the fact that the European Union spares no effort to promote the early entry into force of the CTBT and universal accession to it. With a view to the third Conference on Facilitating the Entry into Force of the CTBT, which took place in Vienna from 3 to 5 September, and on the basis of its renewed common position, the European Union carried out démarches in 74 countries. We welcome the fact that Algeria, as one of the countries named in Annex 2 of the Treaty, deposited its instrument of ratification before the Conference.

To ensure that the resolve of the international community does not weaken, the European Union continues to call on all States that have not yet done so to sign and ratify the CTBT without delay and without conditions, in particular the States whose ratification is required for the Treaty to enter into force. It is with that in mind that the European Union expresses its full support for the rapid establishment of the verification regime in all its aspects.

That is the reason why the European Union fully supports draft resolution A/C.1/58/L.52, which has been sponsored by all member States of the European Union.

Mr. Gala (Cuba) (*spoke in Spanish*): My delegation would like to make a brief general statement under cluster 1, entitled "Nuclear weapons".

A number of the draft resolutions submitted under this cluster refer to the Treaty on the Non-Proliferation of Nuclear Weapons and the Treaty on the Prohibition of Nuclear Weapons in Latin America and the Caribbean, which is also known as the Treaty of Tlatelolco. In that regard, I would like to reiterate that in the last year the Cuban Government has taken

additional steps that clearly reflect Cuba's decision to quickly honour all obligations incumbent upon it as a party to those treaties.

In the context of the commitments it has undertaken, on 18 September 2003 at Vienna, my Government signed a wide-ranging safeguards agreement with the International Atomic Energy Agency (IAEA), as well as an additional protocol to that agreement. Likewise, Cuba's ratification of the Treaty of Tlatelolco has enabled that international instrument to fully enter into force. It has also made it possible to establish the first densely populated zone in the world to be free of nuclear weapons. That fact will be officially recognized by the XVIII General Conference of the Organization for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, which will be held this year from 5 to 6 November in Havana. The holding in Cuba of that important event is further proof of our commitment to peace, disarmament and multilateralism.

With regard to texts under cluster 1, my delegation would like to reaffirm that it will vote on the basis of the overall balance contained in each of the draft resolutions that have been put forward and in accordance with the premise that, for Cuba, the achievement of full and complete nuclear disarmament is the main priority in the area of disarmament.

The Chairman: The First Committee will now proceed to take decisions on the draft resolutions contained in cluster 1, namely, "Nuclear weapons", and, as appeared in informal working paper No. 1, beginning with draft decision A/C.1/58/L.2.

I would like to remind delegations that the Committee will take action on all draft resolutions contained in informal working paper No. 1 one after another and without interruption — of course, with the Committee's cooperation and assistance.

Before doing so, I shall call upon delegations wishing to explain their positions or votes on all draft decisions and resolutions contained in informal working paper No. 1.

Mr. Bar (Israel): I am going to give several explanations of vote on draft resolutions under cluster 1, entitled "Nuclear weapons". The first will be with regard to draft resolution A/C.1/58/L.22, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

Israel will join the consensus on draft resolution A/C.1/58/L.22, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East", as it has done for over 20 years — notwithstanding substantive and important reservations regarding certain elements in the draft resolution. The policy of Israel has always maintained that the nuclear issue, as well as all regional security issues — conventional and non-conventional — should be dealt with within the context of the peace process. Israel supports the eventual establishment of a mutually verifiable nuclear-weapon-free zone in the Middle East that would also be free of chemical and biological weapons and ballistic missiles. Israel believes that the political realities in the Middle East mandate a practical step-by-step approach. That should begin with modest confidence-building measures, followed by the establishment of peaceful relations and the reaching of reconciliation, and possibly complemented by conventional and non-conventional arms control measures. That process could eventually lead to more ambitious goals, such as the establishment of a nuclear-weapon-free zone.

As the international community has recognized, the establishment of nuclear-weapon-free zones should be based on arrangements freely arrived at among all the States of the region concerned. Israel believes that such a zone can only be established through direct negotiation between the States of the region, after they have recognized each other and have established full peaceful and diplomatic relations among one another. It cannot be established in situations where some of the States maintain that they are in a state of war with each other, refuse in principle to maintain peaceful relations with Israel or even recognize its right to exist.

In that context, it should be recalled that in the Middle East, unlike other regions of the world where nuclear-weapon-free zones have been established, there are continuing threats in the region, and beyond, against the very existence of one State: Israel. Those threats are multiplied by the reckless behaviour of some States concerning the export of weapons-of-mass-destruction-related technologies and discrepancies between the commitments of those States and their actual behaviour. Those circumstances and the acknowledged record of non-compliance with international obligations by certain States have a critical impact on the region's ability to embark on a joint process of regional security-building

that could eventually lead to a nuclear-weapon-free zone in the Middle East.

In view of the present reality, our efforts in the context of this draft resolution should be focused on the creation of a stable environment of peace and reconciliation in the Middle East. Israel will continue to dedicate all its efforts to achieve that goal. We call upon our neighbours to do the same.

My next explanation of vote pertains to draft resolution A/C.1/58/L.49, regarding a fissile material cut-off treaty. Israel is going to join the consensus on draft resolution A/C.1/58/L.49 because we believe that the objective of a fissile material cut-off treaty is subsumed in the concept of a nuclear-weapon-free zone in the Middle East. I elaborated upon our approach to that concept in the explanation of vote I made on draft resolution A/C.1/58/L.22, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East". In practical terms, assessing the modalities of draft resolution A/C.1/58/L.49 cannot be done in isolation from the peace process in all its aspects and the overall effort to reduce tension, curb proliferation and limit armaments in our region. In addition, I would note that the non-compliance of States with their international obligations and the unchecked dissemination of nuclear-fuel-cycle capabilities have become among the most pressing challenges in the nuclear non-proliferation field.

My last explanation of vote is with regard to draft resolution A/C.1/58/L.52, which pertains to the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Israel signed CTBT in September 1996. That decision demonstrated its long-standing policy to support the efforts of the international community to prevent proliferation, taking into consideration the specific characteristics of the Middle East and its security situation.

Furthermore, Israel played an active role throughout the negotiation of the Treaty in Geneva, and contributed conceptually, technically and politically to its drafting. Since the establishment of the Preparatory Committee, in November 1996, Israel has played a major part in the endeavours to develop the elements of the CTBT verification regime, including the practical procedures to be adopted in the operational manuals by which the Treaty will be implemented. Israel has decided to vote in favour of draft resolution A/C.1/58/L.52 because of the importance it attaches to the objectives of CTBT, notwithstanding our reservations regarding some of the wording in operative paragraph 1.

Israel remains committed to the objectives of the CTBT. We would like to emphasize, however, that progress still has to be made on several important issues. First, progress must be made in the development and readiness of the verification regime. In our view, its completion constitutes a prerequisite to entry into force, as required by the first paragraph of article IV of the Treaty. The verification regime should provide for a robust system that is, on the one hand, as effective as possible to detect non-compliance with the basic obligations of the Treaty and, on the other hand, be immune to abuse and allow every signatory State to protect its national security interests. Those principles guide Israel in the development of the CTBT verification regime.

In addition, several salient political issues remain unresolved, in particular those related to the geographical region of the Middle East and South Asia, whose States are also referred to as the MESA group. Those problems are further compounded by the lack of acceptance of the CTBT by several States in the Middle East. Moreover, we regret the tolerance shown by other signatory States towards the attempts that have been made to block or bypass the functioning of the MESA group. Such attempts deviate from the letter and spirit of the Treaty and, if left unattended, may cause serious complications in the future. Lastly, we have concerns about the negative dynamics evolving in our region, where certain signatory States are not fully cooperating with the efforts to complete and test elements of the verification regime's international monitoring system, thereby impeding the pace of developing that element in the verification regime.

Mr. McGinnis (United States of America): I would like to make two explanations of vote. The first will be a general explanation of vote with regard to the draft resolutions concerning nuclear-weapon-free zones that we are to consider today.

We will begin voting shortly on several draft resolutions regarding nuclear-weapon-free zones under consideration by the First Committee. The United States wishes to make clear its approach to such draft resolutions. The United States recognizes the strong international support that exists for nuclear-weapon-free zone treaties and protocols, and we appreciate the

value States place on them as a way of promoting non-proliferation and regional security interests. The United States considers those draft resolutions the same way it considers the treaties themselves, that is, on a case-by-case basis. We do not expect that the United States vote will change on any of the nuclear-weapon-free zone draft resolutions the Committee will take action on during this session. At the same time, the United States Government has not yet reviewed its position on protocols that the United States has already signed but has not yet ratified.

Secondly, I would like to provide an explanation of vote on draft resolution A/C.1/58/L.49, regarding the fissile material cut-off treaty. The Committee will today take action on draft resolution A/C.1/58/L.49, which urges the Conference on Disarmament to agree on a programme of work that includes immediate commencement of negotiations on a fissile material cut-off treaty. The United States will again join consensus on that draft resolution, because we support a nuclear material cut-off treaty that advances United States security interests. I wish to point out, however, that the United States is reviewing specific elements of our policy regarding a fissile material cut-off treaty. Our joining consensus on this draft resolution is without prejudice to the outcome of that review.

Mr. Trezza (Italy): Within the framework of explanations of vote under cluster 1, it is my honour, on behalf of the European Union, to speak on draft resolution A/C.1/58/L.4, entitled "Missiles". The acceding countries of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia align themselves with this explanation of vote. In addition, the associated countries of Bulgaria, Romania and Turkey and the European Free Trade Association countries members of the European Economic Area, Iceland and Norway, also align themselves with this statement.

As was the case last year, the European Union has decided to abstain in the voting on the draft resolution on missiles. Let me underline that our abstention must not be regarded as a lack of commitment on this issue. Indeed, reference to the threat represented by ballistic missiles is contained in the declaration on non-proliferation of weapons of mass destruction made by European Union's heads of State and Government in Thessaloniki on 20 June 2003, where it is stated that the proliferation of missiles and weapons of mass destruction puts at risk the security of our States, our peoples and our interests in the world.

The European Union welcomes the International Code of Conduct against Ballistic Missile Proliferation, which was successfully inaugurated in November 2002 at The Hague and which has, to date, been subscribed by 109 States. The Union also welcomes the recent meeting of subscribing States held in New York from 2 to 3 October 2003. We consider the Code of Conduct as an initial, although essential, step towards effectively addressing the problem of missile proliferation from a multilateral global perspective without precluding other initiatives or, in the longer term, more comprehensive approaches. The Code of Conduct establishes fundamental principles and a multilateral framework for cooperation. Let me take this opportunity to call upon all States to adhere to the Code of Conduct, and to stress that the European Union believes that a relationship between the Code of Conduct and the United Nations should be established.

The European Union remains deeply convinced that the Code of Conduct constitutes the most concrete initiative in the fight against the proliferation of ballistic missiles and offers the best chances of leading to tangible results in the short term. That includes the right of every State to reap the benefits of the peaceful use of space. Unfortunately, the draft resolution does not make any specific reference to the Code.

The European Union is also not convinced that another panel of governmental experts, as proposed by the draft resolution, to assist in the preparation of a report on the issue of missiles in all its aspects, is an efficient next step. Any future panel would only be meaningful on the basis of an agreed specific mandate that ensures that added value could be offered.

Those are the reasons why the European Union is not in a position to support the draft resolution this year.

The Chairman: The Committee will now proceed to take action on all draft decisions and draft resolutions contained in cluster 1, entitled "Nuclear weapons", and as appear in informal working paper No. 1, beginning with draft decision A/C.1/58/L.2, entitled "United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament". As I stated earlier, the Committee will proceed to take action on all draft decisions and

resolutions contained in informal working paper No. 1 one after another, without any interruption.

The Committee will now proceed to take action on draft decision A/C.1/58/L.2.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft decision A/C.1/58/L.2, entitled "United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament". This draft decision was introduced by the representative of Mexico at the Committee's 11th meeting, on 20 October 2003.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Sweden, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia.

Against:

France, Germany, Israel, Monaco, Poland, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Australia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, Georgia, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine.

Draft decision A/C.1/58/L.2 was adopted by 104 votes to 7, with 40 abstentions.

[Subsequently, the delegation of Bulgaria informed the Secretariat that it had intended to vote in favour.]

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.4.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/58/L.4, entitled "Missiles". There is an oral statement to that draft resolution that, with the Chairman's permission, I shall now read.

"In connection with draft resolution A/C.1/58/L.4, entitled "Missiles", I wish to place on record the following statements on financial implications, on behalf of the Secretary-General.

"By operative paragraph 3 of draft resolution A/C.1/58/L.4, the General Assembly would request the Secretary-General, with the assistance of a panel of governmental experts to be established in 2004 on the basis of equitable geographical distribution, to explore further the issue of missiles in all its aspects and to prepare a report for the consideration of the General Assembly at its fifty-ninth session. Provisions have been made in the proposed programme budget for the biennium 2004-2005 that would

enable the Department for Disarmament Affairs to provide appropriate services to the three sessions of the panel of governmental experts to be held in New York. Therefore, should the General Assembly adopt draft resolution A/C.1/58/L.4, no additional requirements would be needed in the programme budget for the biennium 2004-2005."

The Committee will now proceed to take action on draft resolution A/C.1/58/L.4.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Cambodia, Cameroon, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia.

Against:

Israel, Micronesia (Federated States of), United States of America.

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Vincent and the Grenadines, Samoa, San Marino, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu.

Draft resolution A/C.1/58/L.4 was adopted by 90 votes to 3, with 59 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.6.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.6, entitled "Consolidation of the regime established by the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco)".

This draft resolution was introduced by the representative of Mexico at the Committee's 11th meeting, held on 20 October 2003.

The sponsors of the draft resolution are contained in document A/C.1.58/L.6 and document A/C.1/58/INF/2.

The Chairman: The sponsors of draft resolution A/C.1/58/L.6 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.6 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.8.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The First Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.8, entitled "Conclusion of effective international arrangements to assure non-nuclear-

weapon States against the use or threat of use of nuclear weapons".

This draft resolution was introduced by the representative of Pakistan at the Committee's 11th meeting, held on 20 October 2003. The sponsors of the draft resolution are listed in document A/C.1/58/L.8 and document A/C.1/58/INF/2.

The Committee will now proceed to take action on the draft resolution.

A recorded vote was taken.

In favour:

Algeria, Angola, Azerbaijan, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Grenada, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia.

Against:

None.

Abstaining:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Draft resolution A/C.1/58/L.8 was adopted by 98 votes to none, with 59 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1.58/L.12.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.12, entitled "Prohibition of the dumping of radioactive wastes".

This draft resolution was introduced by the representative of Nigeria on behalf of the Member States of the United Nations that are members of the Group of African States at the Committee's 15th meeting, held on 24 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/INF/2.

The Chairman: The sponsors of draft resolution A/C.1/58/L.12 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.12 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.14.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.14,

entitled "Establishment of a nuclear-weapon-free zone in Central Asia".

This draft resolution was introduced by the representative of Uzbekistan at the Committee's 11th meeting, held on 20 October 2003.

The Chairman: The sponsors of draft resolution A/C.1/58/L.14 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.14 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1.58/L.22.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.22, entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

This draft resolution was introduced by the representative of Egypt on behalf of Member States of the United Nations members of the League of Arab States at the Committee's 14th meeting, held on 23 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/INF/2.

The Chairman: The sponsors of draft resolution A/C.1/58/L.22 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.22 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.34.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.34, entitled "Reducing nuclear danger".

This draft resolution was introduced by the representative of India at the Committee's 12th meeting, held on 21 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/L.34 and document A/C.1/58/INF/2.

A recorded vote was taken.

In favour:

Afghanistan, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia,

Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Armenia, Azerbaijan, Belarus, Brazil, China, Georgia, Israel, Japan, Kazakhstan, Paraguay, Republic of Korea, Republic of Moldova, Ukraine.

Draft resolution A/C.1/58/L.34 was adopted by 99 votes to 46, with 14 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.36.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.36, entitled "Convention on the Prohibition of the Use of Nuclear Weapons".

This draft resolution was introduced by the representative of India at the Committee's 12th meeting, held on 21 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/L.36 and document A/C.1/58/INF/2.

The Committee will now proceed to take action on the draft resolution.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Thailand, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Argentina, Armenia, Azerbaijan, Georgia, Japan, Kazakhstan, Republic of Korea, Republic of Moldova, Russian Federation, Ukraine.

Draft resolution A/C.1/58/L.36 was adopted by 102 votes to 46, with 10 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.38.

A recorded vote has been requested. Separate votes have also been requested on the last three words of operative paragraph 5 and on operative paragraph 5 as a whole. Thereafter the Committee will vote on the draft resolution as a whole.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the

draft resolution contained in document A/C.1/58/L.38, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

This draft resolution was introduced by the representative of Brazil at the Committee's 11th meeting, held on 20 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/INF/2. In addition, Cuba and Uruguay have also become sponsors of the draft resolution.

The Committee will now proceed to take a separate vote on the last three words of operative paragraph 5, which read as follows: "and South Asia".

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia.

Against:

India, Pakistan.

Abstaining:

Bhutan, France, Georgia, Israel, Marshall Islands, Micronesia (Federated States of), Myanmar, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

The last three words of operative paragraph 5 were retained by 142 votes to 2, with 11 abstentions.

[Subsequently, the delegation of the Lao People's Democratic Republic informed the Secretariat that it had intended not to participate in the vote.]

The Chairman: I now give the floor to the Secretary of the Committee to conduct the voting on operative paragraph 5 as a whole.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a vote on operative paragraph 5 as a whole of draft resolution A/C.1/58/L.38.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives,

Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

India.

Abstaining:

Bhutan, France, Georgia, Israel, Marshall Islands, Micronesia (Federated States of), Pakistan, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.

Operative paragraph 5 as a whole of draft resolution A/C.1/58/L.38 was retained by 145 votes to 1, with 11 abstentions.

[Subsequently, the delegation of the Lao People's Democratic Republic informed the Secretariat that it had intended not to participate in the vote.]

The Chairman: I once again give the floor to the Secretary of the Committee, to conduct the voting on draft resolution A/C.1/58/L.38 as a whole.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on draft resolution A/C.1/58/L.38 as a whole.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

France, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Bhutan, Georgia, India, Israel, Marshall Islands, Micronesia (Federated States of), Russian Federation, Spain.

Draft resolution A/C.1/58/L.38 as a whole was adopted by 146 votes to 3, with 9 abstentions.

[Subsequently, the delegation of the Lao People's Democratic Republic informed the Secretariat that it had intended to vote in favour.]

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.49.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.49, entitled "The Conference on Disarmament decision (CD/1547) of 11 August 1998 to establish, under item 1 of its agenda entitled 'Cessation of the nuclear arms race and nuclear disarmament', an ad hoc committee to negotiate, on the basis of the report of the Special Coordinator (CD/1299) and the mandate contained therein, a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices".

This draft resolution was introduced by the representative of Canada at the Committee's 11th meeting, held on 20 October 2003.

The sponsors of the draft resolution are contained in document A/C.1.58/L.49 and document A/C.1/58/INF/2.

The Chairman: The sponsors of draft resolution A/C.1/58/L.49 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.49 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.52.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.52, entitled "Comprehensive Nuclear-Test-Ban Treaty".

This draft resolution was introduced by the representative of Australia at the Committee's 11th meeting, held on 20 October 2003.

The sponsors of the draft resolution are contained in document A/C.1.58/L.52 and document A/C.1/58/INF/2. In addition, the following countries have also become sponsors of the draft resolution: Austria, Bosnia and Herzegovina and Timor-Leste.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

United States of America.

Abstaining:

Colombia, India, Mauritius, Syrian Arab Republic.

Draft resolution A/C.1/58/L.52 was adopted by 151 votes to 1, with 4 abstentions.

The Chairman: I shall now call upon those delegations wishing to explain their positions or votes after the taking of decisions on all draft decisions and draft resolutions.

Mr. Lew Kwang-chul (Republic of Korea): My delegation would like to make two explanations of vote. I will start with draft resolution A/C.1/58/L.4, entitled "Missiles".

Given the complexity and sensitive nature of missile issues, we need to employ a focused and step-by-step approach to address them if we are to reach a concrete agreement. It was for that reason that my delegation expressed its concern about the vague objectives and unfocused approach of draft resolution A/C.1/58/L.4, which sought to address the issue of missiles in all its aspects. With that concern in mind, the Republic of Korea participated in the United Nations Panel of Governmental Experts on Missiles in All Their Aspects in 2001 and 2002. However, primarily as a result of divergent views and the objectives and scope of the Panel's mandate, the Panel failed to agree on specific recommendations. In that regard, my delegation is concerned about the draft resolution, which calls for the establishment of another United Nations panel, again with an unfocused mandate.

My delegation holds the view that, in order to effectively address complex security issues of global concern, the international community should build upon what has already been achieved. We must neither underestimate nor undercut the valuable contribution that existing arrangements such as The Hague Code of Conduct against Ballistic Missile Proliferation have made with respect to missile proliferation. In our view this draft resolution fails to aptly reflect those principles. It was on the basis of those reasons that my delegation abstained from the voting on draft resolution A/C.1/58/L.4.

My next explanation of vote pertains to draft resolution A/C.1/58/L.8, entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". The Republic of Korea believes that all non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) that have renounced the nuclear-weapons option and that are in full compliance with the provisions of the NPT have a legitimate claim to credible and effective negative security assurances from the nuclear-weapon States. However, negative security assurances cannot be automatically guaranteed to a State party only for the reason that it adheres to the NPT.

What has transpired in recent years shows that in reality there exist States that have signed non-proliferation treaties and have then chosen not to fully comply with them. Under the circumstances, the argument for establishing a legally binding arrangement is premature. The draft resolution has failed to aptly reflect that underlying principle. It is for that reason that my delegation abstained from voting on draft resolution A/C.1/58/L.8.

Mr. Varma (India): The Indian delegation has requested the floor to explain our votes on draft resolution A/C.1/58/L.38, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas", and draft resolution A/C.1/58/L.12, entitled "Prohibition of the dumping of radioactive wastes". I shall now proceed to explain our position with regard to draft resolution A/C.1/58/L.38.

We have requested the floor to explain our vote on operative paragraph 5 of the draft resolution entitled "Nuclear-weapon-free southern hemisphere and adjacent areas". The proposal contained in the last three words of operative paragraph 5 runs counter to the well-established principles for the establishment of nuclear-weapon-free zones, namely, that such zones must be established on the basis of agreements freely arrived at among the States of the region where the zone is desired to be established. The contradiction contained in operative paragraph 5 is even starker when seen in the context of current realities. A proposal for a nuclear-weapon-free zone in South Asia logically has no more validity than nuclear-weapon-free zones in East Asia, Western Europe or North America. Given the distortions and the contradictions in operative paragraph 5, we voted against the draft paragraph. We also voted against retaining the last three words of that paragraph, and abstained from voting on the draft resolution as a whole.

Allow me now to set forth our views with regard to draft resolution A/C.1/58/L.12, entitled "Prohibition of the dumping of radioactive wastes". India has been fully supportive of the central objective of this draft resolution, and has therefore joined the consensus on it. India was among a group comprised of a few countries that supported the retention of the item on radiological weapons on the agenda of the Conference on Disarmament, as we believe that the international community must remain vigilant to the grave dangers posed by nuclear or radioactive wastes and the possibility of their military or terroristic use.

Operative paragraph 8 of draft resolution A/C.1/58/L.12 refers to Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. As a developing country, India places great importance not only on the safety but also on the full utilization of all aspects of the fuel cycle, to derive maximum benefits. Spent fuel is therefore not waste, it is a valuable resource — an idea that India has consistently supported at the International Atomic Energy Agency.

Mr. Rivas (Colombia) (*spoke in Spanish*): As occurred in the First Committee last year during the fifty-seventh session of the General Assembly, Colombia has once found itself obliged to abstain from the voting on draft resolution A/C.1/58/L.52, entitled "Nuclear-Test-Ban Treaty", despite our traditional commitment to disarmament, nuclear control and inspection and monitoring systems. The secretariat of the Organization for the Comprehensive Nuclear-Test-Ban Treaty and its Preparatory Commission are familiar with Colombia's constitutional difficulties in ratifying the Comprehensive Nuclear-Test-Ban Treaty. Our arguments have been aired publicly and in a transparent manner in the course of the past three years. During the third Conference on Facilitating the Entry into Force of the Comprehensive Nuclear-Test-Ban Treaty, which was held in Vienna last September, Colombia reaffirmed its commitment to the Treaty and proposed overcoming those constitutional difficulties in order to contribute to the work of the Preparatory Commission prior to the Treaty's ratification.

We welcome the interest demonstrated by several States with regard to finding a solution to those obstacles so that we may be able to ratify the Treaty as soon as possible, as we wish to do. In connection with our concrete proposal, States participating in the Conference suggested that, along with advice from the provisional technical secretariat, that proposal should be the subject of more discussions in the Preparatory Commission for the Treaty and in its subsidiary bodies. We hope that those discussions will lead to an early solution to the problem identified by Colombia in order to proceed to the ratification of the Treaty.

Mr. Heinsberg (Germany): I would like to explain our vote on draft decision A/C.1/58/L.2, entitled "United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament".

Like Mexico, which introduced the draft decision, Germany also sympathises with the sense of urgency and disappointment regarding the slow pace of progress on the proposal to convene the United Nations conference that is the subject of the draft decision.

We reaffirm our determination to contribute to the implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The NPT is the cornerstone of the nuclear-non-proliferation regime, as well as the central foundation for the pursuit of nuclear disarmament. We stress in particular the need for full implementation of the 13 practical steps for the systematic and progressive efforts to implement article VI of the NPT, as agreed at the 2000 NPT Review Conference. The implementation of the 13 steps requires focused efforts. Nothing should detract from the obligations undertaken by the parties to the NPT. We therefore consider the pursuit of those efforts within the context of the NPT process leading up to the 2005 Review Conference to be of key importance.

Likewise, we deem it to be of the utmost urgency to overcome the deadlock in the work of the Conference on Disarmament in Geneva. The linkages that have led to that deadlock should be abandoned, with a view to starting negotiations on a fissile material cut-off treaty as rapidly as possible.

In the light of those priorities, and with a view not to undermine the NPT process at the Conference on Disarmament — the sole multilateral negotiating "forum — we do not consider it appropriate at this juncture to convene a United Nations conference to identify ways of eliminating nuclear dangers in the context of nuclear disarmament. We were therefore not in a position to support draft decision A/C.1/58/L.2.

Ms. Inoguchi (Japan): I have asked for the floor in order to explain the position of my Government on draft resolution A/C.1/58/L.4, entitled "Missiles".

The proliferation of missiles as delivery vehicles for weapons of mass destruction is a matter of grave concern for Japan, as we believe it poses a threat to peace and stability in both the global and regional contexts. It is for that reason that Japan has been making its own efforts to ensure the non-proliferation of, and to reduce the threat posed by, missiles. We have also contributed to the discussions of the United Nations Panel of Governmental Experts on Missiles in All Their Aspects, which was established by the Secretary-General.

However, Japan has not supported draft resolution A/C.1/58/L.4. We decided to abstain from voting on it because the draft resolution contains no explicit reference to the concern about the proliferation of missiles as delivery vehicles for weapons of mass destruction or an acknowledgement of such ongoing non-proliferation efforts as last November's establishment of The Hague Conduct of Conduct against Ballistic Missile Proliferation, in which my country participates. Regardless of our abstention in the voting, we remain committed to the goal of ensuring the non-proliferation of such missiles by promoting international and regional peace and stability through a variety of means.

Mr. Alhariri (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to explain its vote on draft resolution A/C.1/58/L.52, entitled "Comprehensive Nuclear-Test-Ban Treaty".

My country has repeatedly affirmed that such an important and sensitive Treaty requires our utmost attention, especially given the binding responsibilities it entails for all Member States. However, most of the world's countries — which are non-nuclear-weapon States — also deserve to receive assurances, which have thus far not been forthcoming, with regard to the non-use or threat of use of nuclear weapons. Those countries are also prohibited from obtaining all types of advanced technologies that could enable them to accelerate development and progress. The important and fair observations made thus far with regard to the Treaty have all conceded that the text of the Treaty does not include any commitments by countries that possess nuclear weapons to get rid of them in a reasonable period of time. Nor does the text explicitly refer to the illegality of the use or threat of use of such weapons. Furthermore, it does not stress the need for the universality of the Treaty so the proliferation of nuclear weapons can be stopped.

In addition, the text of draft resolution A/C.1/58/L.52 is confined to nuclear tests but not to nuclear laboratory tests and does not mention the qualitative and quantitative development of a new generation of nuclear weapons. It has also been concluded that on-site verification and inspection may open the door to abuse of the data compiled by certain national monitoring systems, as well as intransigence in the application of such data for political purposes. Most striking of all is the fact that the text gives signatories of the Treaty the right to take action against non-signatories of the Treaty that may include measures taken by the Security Council according to Article VII of the Charter of the United Nations. My delegation believes that those major gaps in the text of the draft resolution are a source of serious concern.

We also reject the inclusion of Israel among the list of countries in the Middle East and South Asia. Despite the current explosive situation in the Middle East, Israel nevertheless unilaterally possesses nuclear weapons and all other kinds of weapons of mass destruction. It is working on the qualitative and quantitative improvement of those weapons, while refusing to accede to the Treaty on the Non-proliferation of Nuclear Weapons or to place its nuclear facilities under the International Atomic Energy Agency's safeguards regime.

All of that hinders and threatens the establishment of a nuclear-weapon-free zone in the Middle East. It also exposes both the region and the entire world to the threat posed by Israel's nuclear weapons, without any international response.

Mr. McGinnis (United States of America): I will give two explanations of vote. The first is with regard to draft resolution A/C.1/58/L.8, entitled "Conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

The United States has again abstained from voting on draft resolution A/C.1/58/L.8, regarding the conclusion of international arrangements on negative security assurances. We wish to make clear, however, as we have made clear in other contexts, that the United States continues to oppose any proposal for a

negative-security-assurance treaty or other global, legally binding security-assurances regime.

My second explanation of vote deals with draft resolution A/C.1/58/L.52, entitled "Comprehensive Nuclear-Test-Ban Treaty". The delegation of the United States has again voted no on that draft resolution because, as we have made clear before, the United States does not support the Comprehensive Nuclear-Test-Ban Treaty and will not become a party to it. However, the United States intends to maintain its moratorium on nuclear testing, which has been in effect since 1992. We urge all States to maintain existing moratoria on nuclear testing.

Mr. Gala (Cuba) (*spoke in Spanish*): My delegation would like to explain its vote on draft resolution A/C.1/58/L.4.

Once again this year, Cuba has voted in favour of the draft resolution on the question of missiles. Cuba takes note of, and is grateful for, the report of the Secretary-General on the issue of missiles in all its aspects (A/57/229). Although we understand that the report, which we consider technically valid, only represents and early United Nations effort to deal with the issue of missiles in all its aspects, Cuba hopes that future exercises of this nature will not be primarily descriptive in nature, but that they will include concrete recommendations for dealing with a problem that is directly linked to the maintenance of international peace and security.

In that regard, Cuba looks forward with interest to the outcome of the ongoing deliberations of the Panel of Governmental Experts referred to in the draft resolution. My delegation also notes with satisfaction that draft resolution A/C.1/58/L.4 refers to the notion of having the Panel of Experts, which is to be established in 2004, set up on the basis of equitable geographical representation.

Cuba is convinced that the United Nations is the proper multilateral forum to address the issue of missiles in all its aspects. In other words, not only must we address the military aspects of this issue, we must also consider the peaceful applications of missiles. They can be useful in the exploration and peaceful use of outer space for the benefit of humankind.

Cuba opposes having disarmament and weapon-control measures focus solely on non-proliferation measures. In that regard, Cuba has always believed that in dealing with the problem of proliferation, due account must be taken of the two dimensions of the phenomenon, namely, horizontal and vertical proliferation.

My delegation also hopes that the future work of the Panel of Governmental Experts will not, as it has to date, emphasize only measures to prevent the proliferation of ballistic missiles capable of carrying nuclear, chemical or bacteriological weapons. Instead, we hope that it will address the issue of high-precision cruise missiles armed with conventional high-explosive warheads. Finally, my delegation hopes that the Panel of Governmental Experts that is to continue to consider the issue of missiles in all its aspects will take into account the replies of Member States contained in the report of the Secretary-General that has been prepared under the provisions of operative paragraph 2 of resolution 57/71.

Mr. Durrani (Pakistan): I have asked for the floor to explain Pakistan's vote on two draft resolutions. I shall first refer to the draft resolution contained in document A/C.1/58/L.38, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

Pakistan supports the creation of nuclear-weapon-free zones freely arrived at among the member States of the regions concerned. We therefore support the objectives of draft resolution A/C.1/58/L.38, and have voted in its favour. However, the call in operative paragraph 5 for the creation of a nuclear-weapon-free zone in South Asia runs counter to the reality on the ground. For over two decades, Pakistan has unsuccessfully sought to promote that objective. Following the nuclear explosions in our neighbourhood in May 1998, which obliged Pakistan to follow suit, the purpose of creating of a nuclear-weapon-free zone in South Asia was defeated. The reference to South Asia in the text of the draft resolution is therefore at complete variance with the prevailing realities. That is why we voted against the last three words in operative paragraph 5, and abstained from voting on that paragraph as a whole. Our support for the draft resolution as a whole reflects our overall sympathy for the creation of nuclear-weapon-free zones in regions where they can be freely agreed upon.

My second explanation of vote concerns the draft resolution contained in document A/C.1/58/L.52, entitled "Comprehensive Nuclear-Test-Ban Treaty".

The delegation of Pakistan voted in favour of that draft resolution. It may be recalled that, in 1996, Pakistan voted in favour of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) in the General Assembly. However, we were obliged to demonstrate our nuclear capability by the imperative of self-defence, and in order to restore the strategic balance in South Asia. Had the application of restraint and responsibility prevented the nuclearization of our region, the CTBT might have enjoyed a different status today. We are now constrained to await the development of broad national consensus on the issue in order to enable us to fulfil our desire to sign the CTBT in due course.

With regard to operative paragraph 3 of draft resolution A/C.1/58/L.52, Pakistan was not the first to test a nuclear device. It will not be the first to resume tests. Immediately after the events of May 1998, Pakistan declared a unilateral moratorium on further testing. We will maintain that moratorium until the coming into force of the Treaty. Of course, the moratorium will have to be reviewed in the case that there is an extraordinary development in our region. In addition, Pakistan will not be the country to stand in the way of the entry into force of the CTBT.

Mr. Rodríguez-Pantoja (Spain) (*spoke in Spanish*): I would like to explain our position on draft resolution A/C.1/58/L.38, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

The delegation of Spain fully supports the establishment of nuclear-weapon-free zones in accordance with arrangements freely arrived at by the States of the region concerned. We therefore believe that the adoption of this draft resolution is important to the strengthening of such zones and to the promotion of cooperation between them. Spain has in the past supported the contents of draft resolutions on this subject, and voted in favour of resolutions 53/77 Q and 54/54 L. Nevertheless, on this occasion, as we did during the fifty-seventh session, and in the light of the continued inclusion of former operative paragraph 6 — which is now operative paragraph 8, about which we have reservations — we have once again abstained from voting on draft resolution A/C.1/58/L.38.

In its operative part, that recently adopted draft resolution contains a reference to, among other types of exchanges, the possibility of holding joint meetings between States parties and signatories of nuclear-weapon-free-zone treaties in order to promote cooperation among those zones — a concept to which my delegation has no objection. However, there is a new concept in operative paragraph 8 of the draft resolution that has just been voted upon, namely, that of the possibility of holding an international conference that is qualitatively different and that, moreover, is destined to move away from the consensus that has been achieved with regard to nuclear-weapon-free zones.

The concept of holding an international conference such as the one referred to in operative paragraph 8 was not mentioned at all in either the April 1999 report of the Conference on Disarmament regarding the establishment of nuclear-weapon-free zones in accordance with arrangements freely arrived at by the countries of the subject region nor in the paragraphs pertaining to nuclear-weapon-free zones of the final document of the 2000 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Spain participated actively in the negotiations at both the Conference on Disarmament and the Review Conference. We welcome the fact that, although reaching consensus was difficult, both those negotiations led to satisfactory results. We believe that the foundation we built on both those occasions is sufficient, and that it does not require additional legal or political elements to justify the holding of an international conference.

It is for those reasons that my delegation was not in a position to support, or vote in favour of, draft resolution A/C.1/58/L.38.

Mr. Broucher (United Kingdom): I have asked for the floor on behalf of the United Kingdom of Great Britain and Northern Ireland, the United States of America and France in order to explain our position on draft resolution A/C.1/58/L.38, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas".

As in previous years, our three delegations have voted against that draft resolution. Last year we noted the reference in the preamble of the draft resolution that recalled

> "the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea". (*Resolution 57/73*)

We welcome the preambular acknowledgement of that important point, and we do not want those principles and rules to be affected. But if it would not affect the freedom of the high seas and rights of passage through maritime space, we remain uncertain what value, over and above existing zones, would be added by a southern hemisphere nuclear-weapon-free area. In essence, it seems contradictory to simultaneously propose an area that is comprised largely of high seas and effectively say that it does not apply to the high seas.

We would therefore question whether the real goal of this draft resolution is the establishment of a nuclear-weapon-free zone that covers the high seas. We do not believe that ambiguity has been sufficiently answered, and for that reason we have voted against the draft resolution again this year.

I would like to emphasize that we have no objection in principle to the establishment of new nuclear-weapon-free zones that could make an important contribution to regional and global security, provided they are supported by all States of the region concerned and are the subject of appropriate treaties, included general assurances provided by the International Atomic Energy Agency.

Mr. Shaw (Australia): I have asked for the floor today to explain our position on draft resolution A/C.1/58/L.4, entitled "Missiles".

Regrettably, Australia has abstained from voting on the draft resolution entitled "Missiles". Australia is a strong and active supporter of ballistic-missile non-proliferation efforts. Ballistic missiles are the prime delivery vehicles for weapons of mass destruction, and their proliferation has a deeply destabilizing impact on regional and global security. Yet, in our view, draft resolution A/C.1/58/L.4 does not highlight the importance of ballistic-missile proliferation to international security.

We are also concerned that the draft resolution continues to exclude a reference to The Hague Code of Conduct against Ballistic Missile Proliferation. The Code was launched in The Hague on 25 November 2002. It now enjoys the subscription of 109 States. The development of the Code is a noteworthy step forward in international missile-non-proliferation efforts, and is complementary of other efforts in that regard. The Hague Code of Conduct is an inclusive process open to all States that aims at promoting transparency between States. The first regular meeting of Subscribing States to the International Code of Conduct against Ballistic Missile Proliferation was held in October 2003 at the United Nations in New York.

Missile issues demand appropriate attention and a concerted response from the international community, including through the United Nations. Australia encourages the Panel of Governmental Experts to be created by this draft resolution to address missile issues, including proliferation, in a constructive way. Australia remains willing to support those efforts.

The Chairman: The First Committee will now proceed to take a decision on the draft resolutions contained in cluster 2, entitled "Other weapons of mass destruction", and as appeared in informal working paper No. 1, beginning with draft resolution A/C.1/58/L.37.

I would again like to remind delegations that the Committee will take action on both draft resolutions contained in informal working paper No. 1, one after another without interruption, and, of course, with the cooperation and assistance of the members of the Committee.

I have no requests for the floor for the making of general statements or the introduction of revised draft resolutions, nor do I have any requests for explanations of vote before the voting on those draft resolutions. The Committee will therefore now proceed to take action on the two draft resolutions contained in cluster 2, entitled "Other weapons of mass destruction", as appear in informal working paper No. 1, beginning with draft resolution A/C.1/58/L.37, entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

As I stated earlier, the Committee will proceed to take action on both draft resolutions contained in informal working paper No. 1, one after another, without any interruption.

The Committee will now proceed to take action on draft resolution A/C.1/58/L.37.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.37,

entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction".

This draft resolution was introduced by the representative of Hungary at the Committee's 12th meeting, held on 21 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/INF/2. Argentina has also become a sponsor of the draft resolution.

In connection with draft resolution A/C.1/58/L.37, on behalf of the Secretary-General I would like to place on record the following statement pertaining to financial implications:

> "By operative paragraph 4 of the draft resolution, the General Assembly would request the Secretary-General to continue to render the necessary assistance to depositary Governments of the Convention to provide such services as may be required for the implementation of the decisions and recommendations of the review conferences, including all necessary assistance to the annual meetings of the States parties and the meetings of experts.
>
> "The Secretary-General wishes to draw the attention of members to the fact that the States parties, at the ninth plenary meeting of the fifth Review Conference, held on 15 November 2002, approved the cost estimates for the servicing of annual meetings of the States parties to the Biological Weapons Convention of one week in duration each year, commencing in 2003, until the sixth Review Conference, and the two-week meetings of experts to prepare each meeting of the States parties that had been prepared by the Secretariat.
>
> "It is recalled that all activities related to international conventions on all treaties that under their respective legal arrangements ought to be financed outside the regular budget of the United Nations may be undertaken by the Secretariat only when sufficient funding is received in advance from States parties."

The Chairman: The sponsors of draft resolution A/C.1/58/L.37 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.37 was adopted.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/58/L.41.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take a decision on the draft resolution contained in document A/C.1/58/L.41, entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

This draft resolution was introduced by the representative of Poland at the Committee's 12th meeting, on 21 October 2003.

The sponsors of the draft resolution are listed in document A/C.1/58/INF/2. Ukraine has also become a sponsor of the draft resolution.

The Chairman: The sponsors of draft resolution A/C.1/58/L.41 have expressed the wish that the draft resolution be adopted by the Committee without a vote. If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/58/L.41 was adopted.

The Chairman: I shall now call on those delegations wishing to explain their positions or votes after the taking of decisions on draft resolutions A/C.1/58/L.37 and A/C.1/58/L.41.

Mr. Durrani (Pakistan): I have taken the floor to convey our support for the draft resolution contained in document A/C.1/58/L.41.

As a party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction and a member of the Executive Council of the Organization for the Prohibition of Chemical Weapons, we would like to underline the importance of the Convention. We would also like to underscore the need for the early destruction of chemical weapons by certain States that, even after adhering to the Convention, have not declared the destruction of their chemical weapons.

Mr. Coughley (New Zealand): I make this explanation of position on behalf of Canada and New Zealand in respect of draft resolution A/C.1/58/L.37, on the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. As States that are gravely concerned about the threats posed by biological weapons, we wish to state for the record our position on the draft resolution that the Committee has just adopted without a vote.

In particular, we wish to comment on operative paragraph 3 of the draft resolution. The agreement reached at the Fifth Review Conference stated that States parties would discuss and promote common understanding and effective action on two topics — the topics for this year being national implementation of the Convention and security and oversight of pathogenic micro-organisms and toxins. In other words, the task is not only for States parties to participate in its implementation, as set out in operative paragraph 3, but also to promote common understandings and effective action. In our view, that requires some stated outcome, either by the Chair or otherwise, for the information of States parties. The fact that operative paragraph 3 does not quote the mandate in its entirety does not diminish the task lying ahead for States parties at the upcoming meeting of States parties, to be held in November.

Mr. Issa (Egypt) (*spoke in Arabic*): I would like to state Egypt's position with regard to the draft resolution contained in document A/C.1/58/L.41, entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

Egypt supports the principles and purposes of the Convention and believes that effective implementation of the Convention requires its universality. On the other hand, we believe that realization of the universality of the Convention must occur simultaneously with the realization of the universality of the Treaty on the Non-Proliferation of Nuclear Weapons, as this pertains to a vital issue for the region of the Middle East that serves as the guiding principle for Egypt regarding the Treaty.

We regret that this year's draft resolution A/C.1/58/L.41 contains additions regarding realization of the universality of the Convention that differ from the draft resolution on this subject that was introduced last year. Those additions disturb the overall balance of the draft resolution.

(*spoke in English*)

The reason we have decided not to request a vote on the draft resolution this year is because we have conducted bilateral consultations with the delegation of Poland, the sponsor of the draft resolution. That delegation has expressed its understanding on these issues. As a result of consultations between our two delegations, we have arrived at what we believe to be a positive conclusion. That conclusion was that this issue will be dealt with next year by consolidating into a single paragraph the two paragraphs referring to the universality of the Convention. In that way, we have been able to join the consensus on the draft resolution this year.

The Chairman: The First Committee will now proceed to take a decision on the single draft resolution contained in cluster 3, namely, "Outer space disarmament aspects", as appeared in informal working paper No. 1.

The Committee will now proceed to take action on draft resolution A/C.1/58/L.44.

A recorded vote has been requested.

I give the floor to the Secretary of the Committee to conduct the voting.

Mr. Sattar (Secretary of the Committee): The Committee will now proceed to take action on the draft resolution contained in document A/C.1/58/L.44, entitled "Prevention of arms race in outer space".

This draft resolution was introduced by the representative of Sri Lanka at the Committee's 12th meeting, on 21 October 2003.

The sponsors of the draft resolution are contained in document A/C.1/58/L.44 and A/C.1/58/INF/2.

I would like to announce that Chile has also become a co-sponsors of the draft resolution; additionally, Yemen, should not appear as a sponsor of the draft resolution contained in document A/C.1/58/L.44.

The Committee will now proceed to take action on the draft resolution.

A recorded vote was taken.

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None.

Abstaining:

Israel, Micronesia (Federated States of), United States of America.

Draft resolution A/C.1/58/L.44 was adopted by 161 votes to none, with 3 abstentions.

The Chairman: I now give the floor to the representative of Italy, who wishes to speak on behalf of the European Union in explanation of vote on draft resolution A/C.1/58/L.44.

Mr. Trezza (Italy): I have the honour to speak on behalf of the European Union on draft resolution A/C.1/58/L.44, entitled "Prevention of arms race in outer space". The acceding countries of Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Malta, Slovakia and Slovenia align themselves with this explanation of vote. In addition, the associated countries of Bulgaria, Romania and Turkey, and the European Free Trade Association countries members of the European Economic Area, Iceland and Norway, also align themselves with this statement.

The European Union has voted in favour of the draft resolution on the prevention of an arms race in outer space. But in order to avoid any misunderstanding, we deem it necessary to clarify the rationale of our vote. We want to reiterate that the Conference on Disarmament is the only international multilateral negotiating forum on disarmament. It is therefore within the Conference on Disarmament that any decision should be taken regarding work on the prevention of an arms race in outer space.

The European Union stands ready to support the establishment of a subsidiary body at the Conference on Disarmament to deal with this matter on the basis of a mandate that will be the subject of agreement by all. We wish to recall, however, that the negotiations at the Conference on Disarmament on a non-discriminatory and universal treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devises constitutes a priority for the European Union.

Programme of work

The Chairman: With regard to cluster 4, entitled "Conventional weapons", informal paper No. 1 had indicated that we would today deal with draft resolution A/C.1/58/L.50, entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be

Excessively Injurious or to Have Indiscriminate Effects". We have been informed that the Controller's Office has still been unable to provide the Secretary of the Committee with an oral statement on programme budget implications. We will therefore have to postpone consideration of draft resolution A/C.1/58/L.50. However, we will take it up as soon as the statement on programme budget implications is available.

Members of the Committee have been given a copy of informal paper No. 2, concerning the draft resolutions to be acted on tomorrow, at our 17th meeting. As members will note, we shall be taking action on draft resolutions under five clusters, including cluster 1, entitled, "Nuclear weapons", which we took up today. It is my intention to continue with the procedure that we have followed today.

Unfortunately, we do not have more than eight documents for consideration tomorrow, as others are not yet ripe for action. I would encourage delegations to continue with their informal consultations in order to allow for draft resolutions and decisions to be available for action after tomorrow.

I call on the representative of the Netherlands on a point of order.

Mr. Sanders (Netherlands): Draft resolution A/C.1/58/L.50, on which we cannot act today because an oral budgetary statement is not ready, is not a surprise draft resolution; it is introduced every year. I therefore have difficulty understanding why the Controller's Office was not in a position to prepare such a statement in a timely fashion as we want our work to proceed. To my surprise, draft resolution A/C.1/58/L.50 also does not appear in the paper listing the draft resolutions to be taken up tomorrow. The Chairman therefore already knows that the Controller will not be in a position to provide his oral budgetary statement tomorrow either. Could we be enlightened about the reasons for this situation?

The Chairman: Unfortunately, we have not been provided with the reason for the delay. The Controller's Office hopes to be able to have the statement on programme budget implications available shortly. We will take up draft resolution A/C.1/58/L.50 as soon as that statement is available. If it is available for tomorrow, we will take it up tomorrow, which is my hope.

The meeting rose at 12.15 p.m.